

## Poor Relief (Ireland).

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### MEMORANDUM.

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*Clause 1* provides for the appointment of a Commission of Inquiry to draw up draft schemes for the amalgamation of unions and the formation of joint districts and the appropriation of workhouses as central auxiliary workhouses for the reception of lunatics and children. Each scheme when approved by the Local Government Board is to be submitted to the boards of guardians of all the unions included therein, and if two-thirds of the guardians concerned assent to the scheme, the Local Government Board may issue an order forming the joint district.

The clause also provides for the payment of the salaries and expenses of the Commissioners of Inquiry and their staff.

*Clause 2* provides for the combination of poor-law unions into joint districts for the maintenance of lunatics and the care and education of children.

It also provides for the constitution of boards of management to act as governors of the central auxiliary workhouses.

It also gives the Local Government Board power to make rules for the guidance and proceedings of boards of management, and the appointment and duties of their officers, and incorporates certain sections of the Poor Relief Acts bearing on these matters.

*Clause 3* gives power to boards of management to borrow money, with the consent of the Local Government Board, either in the open market, or from the Board of Works on the same terms as money can be borrowed for dispensary buildings. It limits the borrowing power of boards of management to one-sixtieth of the annual value of the joint district, but enables the limit to be removed with the consent of the majority of the guardians of all the unions in the district.

*Clause 4* enables boards of management to enter into agreements for the acquisition of land (not exceeding ten acres in extent) and buildings for the purposes of the Act.

*Clause 5* enables the Local Government Board, in the case of default by a board of management, to order the election of a new board, and to nominate three members to serve thereon.

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a

*Clause 6* provides that all general establishment expenses and the cost of the acquisition and fitting up of central auxiliary workhouses shall be a charge upon the entire joint district; that the maintenance of children shall be an electoral division charge as at present; and that the maintenance of lunatics shall be a union at large charge upon the union from which they were transferred.

*Clause 7* provides for the recovery of contributions in arrear to boards of management from the unions in the joint districts.

*Clauses 8 and 9* deal with the appointment, removal, and superannuation of officers of boards of management.

*Clause 10* provides for the continuance under certain conditions of the services of officers of a workhouse appropriated as a central auxiliary workhouse.

*Clause 11* gives the Local Government Board inspectors power to inspect central auxiliary workhouses and to hold inquiries.

*Clause 12* provides for the audit of the accounts of boards of management.

*Clause 13* regulates the form of contracts to be entered into by boards of management.

*Clause 14* prohibits members and officers of boards of management from being concerned with contracts made with such boards.

*Clause 15* provides for the transfer of lunatics from the several workhouses in the joint district to the central auxiliary workhouses upon the written certificate of the medical officer, and enables the Local Government Board to withhold the government grant in the case of any person improperly transferred.

*Clause 16* gives the inspectors of lunatics the same powers of visiting central auxiliary workhouses for lunatics as they now have in the case of lunatic wards in workhouses, and enables the Local Government Board upon the report of those inspectors or their own inspectors to withhold any government grant which may be made towards the cost of maintenance of lunatics, whenever the Local Government Board consider the board of management are not making proper arrangements for their care and treatment.

*Clause 17* empowers boards of management to receive into central auxiliary workhouses certain classes of lunatics who have been admitted to lunatic asylums; and provides that such cases shall continue on the books of the asylums and be paid for by the asylum authorities.

*Clause 18* provides for the nursing or boarding-out of orphan and deserted children by boards of guardians either within or without the union, and enables the Local Government Board to make comprehensive regulations as to boarding-out.

*Clause 19* enables the Local Government Board to make regulations for the establishment of cottage homes for workhouse children.

*Clause 20* enables boards of guardians, with the consent of the Local Government Board, to provide for the teaching of workhouse children in national schools within two miles of the workhouse.

*Clause 21* enables boards of guardians to send children for education and training to any schools supported wholly or partly by voluntary contributions and certified by the Local Government Board to be fit for their reception, and enables the maintenance of the children in such schools to be paid for out of the poor rates, and charged in the same manner as relief for the children would be charged. The clause also provides against any child being sent to a school conducted on principles of a religious denomination to which the child does not belong.

*Clause 22* restricts the hiring-out of pauper children under the age of 12 years.

*Clause 23* enables the Local Government Board to empower boards of guardians in case of want of workhouse accommodation in their own unions to contract for the reception of paupers in the workhouses of other unions.

*Clause 24* gives to boards of management of district schools under the Poor Relief Acts of 1847 and 1848 the same borrowing powers as are given to boards of management under the Bill.

*Clause 25* gives the Local Government Board power to suspend any officer who is liable to dismissal, as an alternative penalty, and provides for the appointment and payment of a *locum tenens* during the period of suspension.

*Clause 26* provides for the appointment of officers by the Local Government Board in case a board of guardians or board of management fail to exercise their powers of appointment.

*Clause 27* prescribes the mode in which the cost of relief afforded to inmates of lunatic asylums and prisons on their discharge should

be defrayed, and prevents that cost from being charged as heretofore upon the electoral division within which the asylum or gaol is situated.

*Clause 28* exempts from stamp duty certain documents which are exempted therefrom under the Poor Relief Acts and Dispensary Houses Act.

*Clause 29* enables the Local Government Board to make rules for carrying the Act into effect.

# Poor Relief (Ireland) Bill.

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## ARRANGEMENT OF CLAUSES.

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### *Joint Districts and Boards of Management.*

Clause.

1. Appointment and powers of Commissioners of Inquiry.
2. Constitution of joint districts.
3. Borrowing powers of board of management.
4. Sale or lease of land to boards of management.
5. Provision in case of default by boards of management.
6. Provision for expenses incurred by boards of management.
7. Order for payment of contributions in arrear may be made by Local Government Board.
8. Officers of board of management.
9. Superannuation allowances of officers.
10. Saving rights of officers.
11. Power to inspect central auxiliary workhouses and to hold inquiries.
12. Audit of accounts.
13. Contracts to be in conformity with orders of Local Government Board.
14. Members of boards of management not to be concerned in contracts.

### *Lunatics.*

15. Transfer of lunatics from workhouses to auxiliary workhouses.
16. Inspection by inspectors of lunatics.
17. Transfer of lunatics from asylums to auxiliary workhouses.

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b

*Pauper Children.*

## Clause.

18. Provision for relief of children out of workhouses.
19. Establishment of cottage homes for children.
20. Power to provide for teaching of children at national schools.
21. Power to send pauper children to certified schools.
22. Restriction as to employment of pauper children.

*Miscellaneous.*

23. Power to contract for the reception of paupers in other unions.
24. Powers of borrowing by boards of management of district schools.
25. Power to suspend officers.
26. Provision in case of failure by guardians to appoint officers.
27. Chargeability of relief to inmates of lunatic asylums or prisons on discharge.
28. Exemption from stamp duty.
29. Rules.
30. Repcal.
31. Definitions.
32. Short title and construction.

## SCHEDULE.

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B I L L

TO

Make further Provision with respect to the Relief of the Destitute Poor in Ireland, and for other Purposes connected therewith. A.D. 1896.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

5 *Joint Districts and Boards of Management.*

1.—(1.) The Lord Lieutenant may, with the assent of the Treasury as to number and remuneration, appoint suitable persons to be Commissioners of Inquiry for the purpose of assisting in carrying this Act into execution, and those Commissioners may prepare draft schemes for the combination into joint districts under this Act of any of the poor-law unions in Ireland, and shall at the same time report whether in their opinion any union should be dissolved, either for the purpose of carrying this Act into execution or for any other purpose, and the workhouse thereof appropriated to the purposes of a central auxiliary workhouse for the reception of lunatics or children relieved in workhouses, and also whether in the case of any union already dissolved the workhouses thereof should be appropriated to either of the said purposes.

(2.) Such draft schemes and reports shall be submitted to the Local Government Board, and if that Board think fit so to direct, the Commissioners of Inquiry shall visit each proposed joint district, and hold a conference, for the consideration of the scheme and report, with the several boards of guardians of the unions proposed to be combined.

(3.) The Commissioners of Inquiry may make such modifications or alterations in the scheme or report as they may deem desirable ;

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and a copy of the scheme and report, when finally agreed to by the Commissioners and the Local Government Board, shall be sent to each board of guardians in the proposed joint district for consideration at a meeting of such board of guardians to be specially summoned for the purpose.

(4.) If the scheme is assented to by the boards of guardians of not less than two-thirds in number of the unions in the proposed joint district, the Local Government Board may issue an order constituting the joint district, and combining the unions in the manner proposed by the scheme as finally agreed to.

(5.) The Local Government Board may, with the consent of the Treasury as to number and remuneration, appoint and employ such officers and other persons as they may think necessary for the purpose of adjusting the accounts of any union which may be dissolved under this Act or any of the Poor Relief (Ireland) Acts, and may remove any officer or person so appointed or employed, and the Commissioners of Inquiry, upon the direction of the Lord Lieutenant, with the like consent, may appoint and employ such officers and other persons as may be necessary for the execution of their duties under this section, and may remove any officer or person so appointed or employed.

(6.) *The remuneration, salaries and expenses of the Commissioners of Inquiry, and all officers and other persons appointed under this section shall be defrayed out of money provided by Parliament.*

Constitution  
of joint dis-  
tricts.

2.—(1.) Where on the recommendation of the Commissioners of Inquiry, or on the application of a board of guardians, it appears to the Local Government Board desirable that two or more poor law unions should be combined and constituted a joint district for either or both of the following purposes—

(a) the care and maintenance of lunatics relieved in union workhouses;

(b) the maintenance and education of pauper children; the Local Government Board may, with the assent of such proportion of the boards of guardians of the unions aforesaid, as in the foregoing provisions of this Act mentioned, make an order for combining such unions into a joint district, and for establishing for the above-mentioned purposes one or more boards of management consisting of so many members to be elected by and out of the members of each board of guardians of the combined unions, as the Local Government Board may determine.

[See  
42 & 43 Vict.  
c. 64, s. 8.]

(2.) The order shall authorise the establishment in the joint district for either or both of the above-mentioned purposes of one or



more central auxiliary workhouses, and shall determine the proportions in which the combined unions are to contribute to the maintenance and establishment charges of each central auxiliary workhouse, and shall define the powers, rights, duties, liabilities, and obligations of each board of management, and regulate their election and meetings, the appointment of their officers, the mode of defraying their expenses, the filling of casual vacancies in the board, and any other matter or thing, including the adjustment of present and future liabilities and property, which the Local Government Board think it necessary to regulate by the order.

A.D. 1890.

(3.) Sections twenty-eight, twenty-nine, and thirty of the Poor Relief (Ireland) Act, 1838, are hereby incorporated with this Act, and shall apply to boards of management constituted under this Act and the members of such boards in like manner as they apply to boards of guardians and the members of such boards.

1 & 2 Vict.  
c. 56.

(4.) The boards of management shall in the exercise and discharge of their powers and duties be subject to the direction and control of the Local Government Board in like manner as boards of guardians are under the Poor Relief (Ireland) Acts, and if any officer of a board of management wilfully disobeys the legal and reasonable orders of that board, in carrying the orders of the Local Government Board or the provisions of this Act into execution, he shall upon conviction before a court of summary jurisdiction be liable to a fine not exceeding *five pounds*.

[See  
1 & 2 Vict.  
c. 56. s. 100.]

(5.) Every board of management under this Act shall be a body corporate, under the title of the board of management of the joint district for which such board act, and shall have perpetual succession and a common seal.

(6.) The expenses of the members of a board of management incurred in attending meetings of the board at the central auxiliary workhouse, shall be defrayed in manner provided by the Boards of Management of Poor Law District Schools (Ireland) Act, 1892.

55 & 56 Vict.  
c. 41.

(7.) The boards of guardians of the unions forming the joint district shall, save as otherwise provided by the order, cease to exercise any powers and rights, and to perform any duties, and to be subject to any liabilities and obligations defined by the order.

[See  
42 & 43 Vict.  
c. 54. s. 8.]

(8.) The Local Government Board may make an order amending or revoking any order made under this section.

3.—(1.) A board of management under this Act may, with the sanction of the Local Government Board, borrow or re-borrow and take up at interest money for the purpose of defraying the expenses

Borrowing  
powers of  
board of

[387.]

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management.  
[See  
30 & 31 Vict.  
c. 6. s. 17.]

incurred, or proposed to be incurred, in respect of any permanent work or object, or other thing, the cost of which ought in the opinion of the Local Government Board to be spread over a term of years, and may charge the poor rates of the unions forming the joint district with the money so borrowed and interest, in the proportions in which those unions contribute to the maintenance and establishment charges of the central auxiliary workhouse for which the money is borrowed. 5

(2.) The amount borrowed shall not, without the consent in writing of the boards of guardians of each union included in the joint district, cause the total debt of the board of management under this Act to exceed *one sixtieth* of the annual rateable value under the Irish Valuation Acts of the joint district, and such consent shall be given by a resolution of the majority of the members present at a meeting of the board of guardians specially summoned for the purpose in the manner required by the general regulations of the Local Government Board, in the case of the rescission, alteration, or amendment of a resolution previously agreed to or adopted by a board of guardians. 10

[See  
41 & 42 Vict.  
c. 52. s. 238.]

(3.) The money may be borrowed for such time, not exceeding *thirty-five years*, as the board of management, with the sanction of the Local Government Board, determine in each case; and the board of management shall either pay off the moneys so borrowed by equal annual instalments of principal, or of principal and interest, or shall in every year set apart as a sinking fund, and accumulate by way of compound interest, by investing the same in the purchase of such securities as may be authorised by the Local Government Board, such sum as will, with accumulations by way of compound interest, be sufficient, after payment of all expenses, to pay off the moneys so borrowed within the period sanctioned. 20 25 30

(4.) When money is borrowed for the purpose of discharging a previous loan the time for repayment of the money so borrowed shall not extend beyond the unexpired portion of the period for which the original loan was sanctioned, unless with the sanction of the Local Government Board, and shall in no case be extended beyond the period of *thirty-five years* from the date of the original loan. 35

(5.) The board of management may at any time apply the whole or any part of a sinking fund set apart under this Act in or towards the discharge of the moneys, for the repayment of which the fund has been established: Provided that they pay into the fund in each 40

year, and accumulate until the whole of the moneys borrowed are discharged, a sum equivalent to the interest which would have been produced by the sinking fund or the part of the sinking fund so applied.

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- 5 (6.) If at any time it appears to the Local Government Board that the board of management have failed to comply with any of the requirements of this section, or of any order of the Local Government Board thereunder, in relation to any payment, application, or investment, the Local Government Board may by  
 10 order require the board of management to make good the default within a time therein limited; and if the default be in respect of any sum payable into the sinking fund, or the misapplication of any part of such fund, the Local Government Board may by order direct that the sum in such order mentioned, not exceeding *double*  
 15 the amount in respect of which default has been made, shall be paid into the sinking fund, and be invested and applied as part of that fund.

[See  
 58 & 54 Vict.  
 c. 59. s. 52.  
 and regula-  
 tions under.]

- (7.) Any determination or directions of the Local Government Board under this section may be signified by order under their  
 20 seal, and any order of that Board may contain such provisions as the Board think necessary or proper for giving effect thereto, and shall be enforceable by writ of Mandamus to be obtained by the Board out of the High Court, and may be cancelled or varied by the Board, as the circumstances of the case may require; but the  
 25 Board shall not make any such order without first hearing the board of management, if desirous of being heard, and such hearing may be in the form of a public inquiry, with or without a published report, or in such other form as the Local Government Board, having regard to the circumstances, think just and  
 30 expedient.

- (8.) The Board of Works may, with the consent of the Treasury on the application of the board of management and on the recommendation of the Local Government Board, make any loan to such  
 35 board of management in pursuance of any powers of borrowing conferred by this Act (and in the case of works, whether for works already executed or yet to be executed) on the security of any fund or rate applicable to any of the purposes of this Act and without requiring any further or other security, such loan to be repaid within a period not exceeding *thirty-five years*, and to bear interest  
 40 at the rate of *three and a half per cent.* per annum or such other rate as may in the opinion of the Treasury be necessary in order to enable the loan to be made without loss to the Exchequer.

[See  
 42 & 43 Vict.  
 c. 25. s. 6.]

A.D. 1896.

Sale or lease  
of land to  
boards of  
management.  
[See  
42 & 43 Vict.  
c. 25. s. 11.]

4.—(1.) The board of management of any joint district may, with the sanction of the Local Government Board, enter into an agreement for the purchase or taking on lease (in the case of a purchase for such consideration, and in the case of a lease at such rent, for such term of years, and subject to such conditions, as may be approved by the Local Government Board), of any land, not exceeding ten acres, situate within the joint district, and any house or building situate upon such land; and the board of management may erect on any land so purchased or taken any house or building for the purpose of a central auxiliary work-house, or may for the like purpose enlarge or improve any house or building situate upon such land; and any house or building purchased, taken on lease, enlarged, or improved as aforesaid, shall, while the same remains under the control of the board of management, be used for the purposes of this Act. 15

(2.) For the purpose of the sale and purchase of any land, houses, or buildings under this section, the Lands Clauses Acts (except the provisions of those Acts with respect to the purchase and taking of land otherwise than by agreement, and with respect to the entry upon land by the promoters of the undertaking) shall be incorporated with this Act. 20

(3.) All lands and buildings purchased or taken on lease for the purposes of this Act shall be conveyed to the Local Government Board.

Provision in  
case of  
default by  
boards of  
management.

5.—(1.) In case regular meetings of the board of management of any joint district are not held at the times enjoined by the Local Government Board, or in case, through the default of the board of management, the duties of such board are not, in the opinion of the Local Government Board, duly and effectually discharged, the Local Government Board may declare such board of management to be dissolved, and shall thereupon order a fresh election of a board of management, and the board so elected shall hold office for such time as may be determined by the Local Government Board. 30

(2.) In the event of the dissolution and fresh election of a board of management, the Local Government Board may nominate three persons to be ex-officio members of the board so elected, in addition to the elective members, and such ex officio members shall hold office for the prescribed period. 35

(3.) If the board of guardians of any union comprised in the joint district fail to hold a fresh election of members of the board of 40

management, the board of management shall thereupon consist of such ex-officio members as aforesaid and such members as may be elected by the guardians of the other unions comprised in the joint district, or if no members are elected by the guardians of any such unions, the board of management shall consist of such ex-officio members alone.

A.D. 1886.

6.—(1.) All costs and expenses incurred in the acquisition, management, maintenance and repair of a central auxiliary workhouse, and in furnishing and fitting up the same, and in providing all articles and requisites for the common use of the inmates, and in paying any salaries or other remuneration under this Act, and all other establishment expenses shall, so far as not otherwise payable, be a charge on the several electoral divisions of the unions comprised in the joint district within which such auxiliary workhouse is situate, and the several boards of guardians of the unions forming the joint district shall raise the same by an equal poundage rate on the annual rateable value, under the Irish Valuation Acts, of such electoral divisions respectively.

Provision for expenses incurred by boards of management. [See 25 & 26 Vict. c. cxxvii. s. 12.]

(2.) Any question which may arise as to what costs and charges are included under the head of establishment expenses within this section shall be decided by the Local Government Board, and their decision shall be final.

(3.) The expenses incurred by the board of management in respect of the maintenance of pauper children in any central auxiliary workhouse set apart for their use, and in the conveyance of such children to and from the same, shall be borne by the electoral divisions liable for their maintenance respectively.

(4.) The expenses incurred by the board of management in respect of the maintenance of pauper lunatics in the central auxiliary workhouse set apart for their use, and in the conveyance of such lunatics to and from the same, shall be borne by the several electoral divisions of the union from which they were sent to such workhouse.

7. If at any time the board of management of a joint district certify that any sum payable to them by the board of guardians of any union included in the joint district on account of any contribution under this Act for the maintenance and support and other establishment charges of a central auxiliary workhouse, or for the maintenance of the inmates thereof, is in arrear, the Local Government Board may,

Order for payment of contributions in arrear may be made by Local Government Board. [See 54 Vict. c. 1. s. 4.]

A.D. 1896. by order under their seal, assess that sum on the electoral divisions liable, and shall send copies of the order to the board of guardians and treasurer of the union; and such treasurer shall thereupon, out of any money in his hands to the credit of the guardians, and if and so far as such money is insufficient for the purpose, 5 out of all moneys subsequently received by him on account of the guardians, pay over the sum assessed by the order to the board of management, and the guardians shall debit the electoral divisions liable with the amount so assessed, and that amount shall be a first charge on all the revenues of the board of guardians on whom 10 the assessment is made, any act, order, mortgage, or deed to the contrary notwithstanding.

Officers of  
board of  
manage-  
ment.

8. The Local Government Board may make such orders as they think proper for the guidance, control, appointment, number, qualifications, salaries, duties, and tenure of office of and the 15 nature and amount of the security to be given by the officers of the board of management, and every such officer shall be liable to removal in the same manner as officers appointed under the Poor Relief (Ireland) Act, 1838, and be liable to the penalties mentioned in and the same shall be recoverable in the manner provided by 20 section one hundred and one of the said Act.

1 & 2 Vict.  
c. 66.

Superannua-  
tion allow-  
ances of  
officers.

28 & 29 Vict.  
c. 26.  
32 & 33 Vict.  
c. 50.  
35 & 36 Vict.  
c. 89.  
43 & 44 Vict.  
c. 80.

9. The board of management of a joint district constituted under this Act may exercise the same power of granting superannuation allowances to any officers in their service as a board of guardians may exercise under the Union Officers (Ireland) Superannuation Acts, 1865 and 1872, the Medical Officers Superannuation 25 Act (Ireland), 1869, and the Union Officers (Ireland) Act, 1885, with the like consent as therein provided, and shall charge any allowance made by them to the fund chargeable with the payment of the salaries of their officers. 30

Saving  
rights of  
officers.

10.—(1.) If any poor law union is dissolved for the purpose of carrying this Act into effect, and the workhouse thereof is converted into a central auxiliary workhouse of a joint district, the Local Government Board may declare the holder of any office in such union an officer of the board of management of the joint 35 district, and such officer, while performing in the central auxiliary workhouse to which he may be assigned duties similar to those which he has discharged while a union officer, shall receive not less salary or remuneration than he would have received if this Act had not passed. 40

(2.) Any question arising under this section shall be determined by the Local Government Board and their decision shall be final. A.D. 1896.

(3.) The expression "union officer in any union" in section three of the Union Officers (Ireland) Act, 1885, shall be deemed to include an officer of the board of management of a joint district. 48 & 49 Vict. c. 80.

11.—(1.) Any member or inspector of the Local Government Board may enter and inspect any central auxiliary workhouse established under this Act, and may attend the meetings of any board of management under this Act, and for the purposes of any inquiry directed by the Local Government Board, shall have, in relation to witnesses and their examination, the production of papers and accounts, and the inspection of places and matters required to be inspected, similar powers to those conferred upon poor-law inspectors by the Poor Relief (Ireland) Acts: Provided that any person may be required in obedience to any summons for the purpose of this Act to go not more than fifty statute miles from the place of his abode to the place at which the inquiry is held. Power to inspect central auxiliary workhouses and to hold inquiries. [See 14 & 15 Vict. c. 68. s. 16.]

(2.) Section fourteen of the Poor Relief (Ireland) Act, 1838, shall apply to such inquiries, and the expenses therein mentioned as payable by boards of guardians shall be payable by the board of management concerned out of any funds at their disposal. 1 & 2 Vict. c. 56.

12. The accounts of every board of management under this Act shall be audited in like manner, and with the like power to the officer auditing the same, and with the like incidents and consequences, as the accounts of a board of guardians under the Poor Relief (Ireland) Acts, and the Local Government Board may make and issue such orders for the keeping, examining, auditing, and allowing or disallowing of accounts as they may think proper. Audit of accounts.

13.—(1.) The Local Government Board may make such orders as they think proper for the making of contracts in all matters relating to the execution of this Act by boards of management. Contracts to be in conformity with orders of Local Government Board. [See 1 & 2 Vict. c. 56. s. 92.]

(2.) Any contract entered into by or on behalf of a board of management under this Act which is not made and entered into in conformity with the orders of the Local Government Board or otherwise sanctioned by them, shall be voidable, and, if the Local Government Board so direct, shall be null and void; and all payments made under or in pursuance of any such contract, at any time after the Local Government Board have declared the same to be null and void, shall be disallowed in passing the accounts of the

[337.]

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A.D. 1896. board of management, or any of their officers by whom such payments were made.

(3.) The Local Government Board may direct the board of management to institute such proceedings, civil or criminal, as the Local Government Board may think fit, against any contractor 5 who has violated the terms of any contract entered into by him with the board of management or any officer of that board acting on behalf of the board, or who has been guilty of any fraud in relation to such contract, and the expenses of such proceedings shall, unless the court before whom the proceedings are instituted 10 otherwise order, be paid out of the funds in the hands of the board of management.

Members of  
boards of  
management  
not to be  
concerned in  
contracts.

[See  
1 & 2 Vict.  
c. 58, s. 93.  
14 & 15 Vict.  
c. 68, s. 11.]

14.—(1.) No member of a board of management under this Act, or paid officer of such board, shall, either in his own name or in the name of any other person, provide, furnish, or supply, or 15 be concerned directly or indirectly in providing, furnishing, or supplying, for his own profit, any materials, goods, or provisions for the use of any central auxiliary workhouse in any joint district for which he is elected, nominated, or appointed during the time for which he retains his office, under pain of forfeiting the sum of 20 one hundred pounds to any person who may sue for the same by action in the High Court.

(2.) No action shall be commenced by any person, except the Local Government Board, for the recovery of any such forfeiture, without the consent in writing of the chairman of the quarter 25 sessions of the county within which the central auxiliary workhouse of the joint district is situate, and such consent may be applied for in open court at any quarter sessions of the county: Provided that at least *fourteen days'* notice in writing of such intended application shall be given to the person against whom such action 30 is intended to be commenced by the person applying for leave to commence the same, and the person against whom the action is intended to be commenced shall, if he so desires, be heard upon such application.

(3.) Where an action under this section is brought by any person, 35 except the Local Government Board, and the jury find a verdict for the plaintiff, for an amount exceeding *twenty-five pounds*, the judge before whom the action is tried may, if he thinks fit, reduce the amount so found to any sum not less than *twenty-five pounds*.

[See  
6 & 7 Vict.  
c. 92, s. 22.]

(4.) No person adjudged liable to forfeiture for having acted in 40 contravention of this section shall be capable of being elected or nominated or of acting as a member of a board of management under this Act.



*Lunatics.*

A.D. 1866.

Transfer of  
lunatics from  
workhouses  
to auxiliary  
workhouses.

15.—(1.) The board of guardians of any union comprised in a joint district, may, subject to such regulations as may be made by the Local Government Board, transfer any lunatic relieved in the  
5 workhouse of the union to the central auxiliary workhouse for lunatics of such district; provided that no person shall be so transferred unless the medical officer of the workhouse from which he is transferred certifies in writing giving grounds for the opinion—

- (a) that in his opinion such person is a lunatic; and  
10 (b) that the case is suitable for treatment in the lunatic wards of a workhouse.

(2.) The Local Government Board may withhold any moneys that may be voted by Parliament as a contribution towards the cost in a central auxiliary workhouse for lunatics of any inmate who, in the  
15 opinion of the Local Government Board, was improperly transferred to such auxiliary workhouse.

16. The inspectors of lunatics in Ireland shall have the same power to visit every central auxiliary workhouse for lunatics and to inquire into the management thereof as they have in the case of  
20 other workhouses, and may report thereon to the Local Government Board; and the Local Government Board may, if they think fit, upon the report of any such inspector, or of any inspector of the Local Government Board, withhold any moneys that may be voted by Parliament as a contribution towards the cost of the  
25 maintenance of lunatics in workhouses in any case in which they consider that the board of management were guilty of default in the discharge of their duties.

Inspection  
by inspectors  
of lunatics.

17. The board of management of a joint district may, with the consent of and subject to such regulations as may be made  
30 by the Local Government Board and the Inspectors of Lunatics in Ireland, receive (upon such terms as may be agreed upon between the board of management and the board of governors of the asylum) into the district central auxiliary workhouse for lunatics any lunatic, not being dangerous or of filthy habits, who  
35 may have been received into a district lunatic asylum, if the resident medical superintendent of the asylum certifies that it is expedient that the lunatic should be transferred to such workhouse; and every such lunatic so long as he remains in such workhouse, shall continue a patient on the books of the asylum for and in respect  
40 of all the provisions of the Lunacy (Ireland) Act, 1821, and the Acts amending the same, so far as they relate to lunatics and

Transfer of  
lunatics  
from asylums  
to auxiliary  
workhouses.  
[See  
38 & 39 Vict.  
c. 67, s. 9.]1 & 2 Geo. 4.  
c. 39.

A.D. 1896. insane persons received into district lunatic asylums; and any expenses incurred by the board of governors in respect of such lunatic in such workhouse shall be deemed part of the expenses of such district lunatic asylum, and shall be paid by the governors out of the moneys applicable to the payment of such expenses. 5

*Pauper Children.*

Provision  
for relief  
of children  
out of  
workhouses.  
[See  
39 & 40 Vict.  
c. 38.]

18.—(1.) The board of guardians of any poor-law union may if they think fit, subject to the regulations of the Local Government Board, provide for the relief of any orphan or deserted child out of a workhouse, by placing such child out at nurse or boarding it out according to their discretion, and also may at any time withdraw such child from the care of the person with whom it has been placed out at nurse or boarded out: Provided that no child shall be placed out at nurse or boarded out with any person who does not profess the same religion as that in which the child was registered. 10 15

(2.) For the purpose of carrying this section into effect, the Local Government Board shall make regulations with respect to all or any of the matters following (that is to say):—

- (a.) The age up to and conditions under which children may be placed out at nurse or boarded out whether within or outside the limits of the union: 20
- (b.) The form of contract to be entered into by boards of guardians for the purposes of this section:
- (c.) The expenses of conveying children to and from the houses in which they are placed out at nurse or boarded out: 25
- (d.) The attendance of children at divine worship and school:
- (e.) The supervision and visitation of children; and
- (f.) Generally with respect to all such matters as the Local Government Board think proper.

(3.) If the Local Government Board are of opinion that any child so placed out at nurse or boarded out should be removed from the care of its foster parent, or the person with whom it is boarded out, the board of guardians shall, upon the requisition of the Local Government Board, cause the child to be removed accordingly and brought back to the workhouse. 30 35

(4.) Any person failing or refusing to deliver up a child when required to do so, pursuant to this section, shall be liable, on conviction by a court of summary jurisdiction, to a penalty of forty shillings; and the court shall, upon such conviction, order the child to be taken out of the custody of such person and handed over to the custody of the board of guardians. 40

19. The Local Government Board may make regulations authorising boards of guardians to establish cottage homes for children relieved in workhouses, and providing for the management and maintenance of such homes.

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Establishment of cottage homes for children.

Power to provide for teaching of children at national schools.

- 5 20. The board of guardians of any poor law union may, subject to the approval of the Local Government Board and the manager of the school, provide for the teaching of children relieved in the workhouse of the union at a national school, provided such school is within two statute miles, measured according to the nearest road,  
10 from the workhouse.

- 21.—(1.) The Local Government Board may, if they think fit, upon the application in writing of the managers of any school, supported wholly or partly by voluntary subscriptions, appoint a fit person to examine into the condition of the school, and to  
15 report to that Board thereon; and if satisfied with such report, the Board may, by writing under the hand of their secretary or assistant secretary, certify as to the fitness of such school for the reception of such children as may be sent there under this section, and as to the number of children that may be received in  
20 such school, and the Board, if at any time they are dissatisfied with the condition or management of such school, may, by notice addressed to the managers of such school, and signed as aforesaid, declare that the certificate is withdrawn from and after a day to be specified therein, being not less than *two months* after the date  
25 thereof.

Power to send pauper children to certified schools. [See 25 &amp; 26 Vict. c. 43.]

- (2.) The board of guardians of any poor-law union may, with the sanction of the Local Government Board, send any child relieved in the workhouse of such union to any school certified under this section, the managers of which are willing to receive the child, and  
30 the guardians may, out of any funds in their hands, pay the expenses incurred in the maintenance, clothing, and education of the child at such school (not exceeding such annual amount as may be prescribed), and in the conveyance of such child to and from the same, and, in the case of death, the expenses of its burial.

- 35 (3.) If the Local Government Board are of opinion that any person is aggrieved by any child being so sent or kept at such school as aforesaid, the Board may order the child to be removed, and the board of guardians shall forthwith cause the child to be removed from the school; and any engagement entered into for the  
40 payment of any expenses in the case of such child which might otherwise have been incurred shall, from the date of such removal, become void.

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(4.) Every school certified under this section shall be open to the visitation and inspection of any inspector appointed by the Local Government Board; and such inspector may make any examination into the state and management of the school, and the condition and treatment of the children therein, which he may deem requisite, 5 and shall report the results of such examination to the Local Government Board; and the board of guardians by whom any child is sent to any such school may appoint any one of their body to visit and inspect such school, and such school shall at all reasonable times be open to such visitation and inspection. 10

(5.) A board of guardians by whom a child has been sent to any such school may at any time, at their discretion, and shall, upon the requisition of the managers of the school, or upon the withdrawal of the certificate of the school, cause any such child to be removed from the school, and brought back to their union. 15

(6.) No child shall be sent to such school unless he or she is an orphan, or deserted by his or her parents or surviving parent, or is a child whose parents or surviving parent consent to the sending of such child to the school, or, if illegitimate, whose mother, if she has the care, custody, or possession of the child, so consents. 20

(7.) A child shall not be kept in any such school against the will of its parents or surviving parent or, if it is above the age of *fifteen years*, against its own will.

(8.) The expenses incurred by a board of guardians in respect of any child sent to any such school under this section shall be charged 25 to the same fund and in the same manner as the relief otherwise supplied to such child would be charged.

(9.) No child shall be sent under this section to any school which is conducted on the principles of a religious denomination to which such child does not belong. 30

(10.) The word "school" in this section shall extend to any institution established for the instruction of blind, deaf, dumb, lame, deformed, or idiotic persons, but shall not extend to a certified reformatory school.

Restriction  
as to employ-  
ment of  
pauper  
children  
[See  
55 & 56 Vict.  
c. 42. s. 52.]

22.—(1.) No person shall take into his employment for any 35 purpose any child being relieved in the workhouse of any union or in the central workhouse auxiliary of any joint district, or subject to the control of the board of guardians of any union, and being under the age of twelve years, and any person acting in contravention of this section shall be liable on conviction before a court of 40 summary jurisdiction to a fine not exceeding *five pounds*.

(2.) Where the age of any child is required to be ascertained for the purposes of this Act, any person, on presenting a written requisition in such form and containing such particulars as may be prescribed shall be entitled to obtain a certified copy, under the hand of the registrar or superintendent registrar, of the entry in the register under the Births and Deaths Registration Acts (Ireland), 1863 to 1880, of the birth of the child named in the requisition.

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*Miscellaneous.*

- 23.—(1.) If the Local Government Board are at any time satisfied that, by reason of the temporary want of workhouse accommodation in any union, adequate relief cannot be afforded in such union to destitute poor persons, the Local Government Board may, by order under their seal, authorise the board of guardians of such union to contract for the reception and maintenance of such poor persons by the board of guardians of any other union for such time and subject to such conditions as may be set out in the order.

Power to contract for the reception of paupers in other unions.

(2.) Any order in this section may be revoked at any time by a like order of the Local Government Board.

24. The board of management of any district school constituted under the Poor Relief (Ireland) Act, 1847 (No. 2), or the Poor Relief (Ireland) Act, 1848, may borrow or reborrow, and take up at interest money for the purposes of those Acts on the same terms and conditions as boards of management of joint districts may borrow under this Act.

Powers of borrowing by boards of management of district schools.  
10 & 11 Vict. c. 90.  
11 & 12 Vict. c. 25.

- 25.—(1.) Where the Local Government Board are empowered by the Poor Relief (Ireland) Acts or this Act, to remove any officer from his office they may, if they think fit instead of exercising that power, suspend such officer from the discharge of his duties for such period as they may determine, and any officer so suspended shall not receive any salary in respect of the period of his suspension, and shall not during that period be regarded as an officer of the union for any purpose.

Power to suspend officers.

- (2.) Where an officer of a board of guardians or board of management has been suspended under this section, the Local Government Board shall require the guardians or board of management to appoint a person, approved of by the Local Government Board, as temporary substitute for such officer, and to pay the person so appointed reasonable remuneration for his services.

26. If any board of guardians or board of management do not, within fourteen days after they have received a requisition by the Local Government Board in that behalf, appoint any officer or

Provision in case of failure by

A.D. 1896.  
guardians to  
appoint  
officers.

assistant or temporary substitute in accordance with the requisition, the Local Government Board may, if they think fit, at any time after the expiration of such fourteen days, by order under their seal, appoint a person to be such officer or assistant, or temporary substitute, and may determine the salary or remuneration to be paid 5 to any such person by the guardians or board of management; and the person so appointed shall have the same power for the recovery of his salary or remuneration from the guardians or board of management and all other powers, rights, and privileges, and shall discharge all the same duties, and incur the same responsibilities, 10 as if he had been duly appointed by the guardians or board of management.

Charge-  
ability of  
relief to  
inmates of  
lunatic  
asylums or  
prisons on  
discharge.  
39 & 40 Vict.  
c. 50.

27. For the purpose of determining the chargeability of relief afforded on his discharge to any inmate of a district lunatic asylum or prison by the board of guardians of the union within which 15 such asylum or prison is situate, residence in the asylum or prison shall be deemed to be residence in the workhouse of the union, and section three of the Poor-law Rating (Ireland) Act, 1876, shall apply accordingly: Provided that if any such inmate was not at the time of entering the asylum or prison a resident in the union 20 within which such asylum or prison is situate, any relief afforded to him shall be charged to the union at large.

Exemption  
from stamp  
duty.  
[See  
42 & 43 Vict.  
c. 26. s. 14.]  
Rules.

28. No order, mortgage, bond, obligation, security, contract, agreement, or other instrument whatsoever made or executed under this Act, shall be liable to stamp duty. 25

29. The Local Government Board may make rules and regulations for carrying this Act into execution, and those rules and regulations shall be laid before Parliament, and shall be judicially noticed, and have effect as if enacted in this Act, and any person who wilfully neglects or disobeys such rules, regulations, or any 30 order, rule, or regulation made by the Local Government Board in pursuance of this Act, shall be liable to the penalties mentioned in and the same shall be recoverable in the manner provided by section one hundred and two of the Poor Relief (Ireland) Act, 1838.

Repeal.

30. The Acts specified in the schedule to this Act are hereby 35 repealed to the extent in the third column thereof mentioned.

Definitions.

31. In this Act, unless the context otherwise requires,—

The expression "the Local Government Board" means the Local Government Board for Ireland:

The expression "the Board of Works" means the Commissioners 40 of Public Works in Ireland:

The expression "prescribed" means prescribed by rules made by the Local Government Board under this Act : A.D. 1896:

	The expression "the Poor Relief (Ireland) Acts" means—	1 & 2 Vict. c. 36.
	The Poor Relief (Ireland) Act, 1838.	2 & 3 Vict. c. 31.
5	The Poor Relief (Ireland) Act, 1839.	6 & 7 Vict. c. 99.
	The Poor Relief (Ireland) Act, 1843.	10 & 11 Vict. c. 31.
	The Poor Relief (Ireland) Act, 1847.	10 & 11 Vict. c. 31.
	The Poor Relief (Ireland) (No. 2) Act, 1847.	10 & 11 Vict. c. 90.
	The Poor Relief (Ireland) Act, 1848.	11 & 12 Vict. c. 25.
10	The Guardians (Ireland) Act, 1849.	19 & 20 Vict. c. 4.
	The Poor Relief (Ireland) Act, 1849.	12 & 13 Vict. c. 104.
	The Poor Relief (Ireland) Act, 1851.	14 & 15 Vict. c. 63.
	The Poor Relief (Ireland) Act, 1862.	25 & 26 Vict. c. 83.
	The Poor Persons Burial (Ireland) Act, 1866.	29 & 30 Vict. c. 38.
15	The Poor Law Inspectors (Ireland) Act, 1868.	31 & 32 Vict. c. 74.
	The Poor Relief (Ireland) Act, 1869.	32 & 33 Vict. c. 54.
	The Poor-law Rating (Ireland) Act, 1876.	39 & 40 Vict. c. 20.
	The Poor Afflicted Persons Relief (Ireland) Act, 1878.	41 & 42 Vict. c. 68.
	Sections one and nine of The Poor Law Act, 1889.	52 & 53 Vict. c. 26.
20	The Poor Law Acts (Ireland) Amendment Act, 1890.	53 & 54 Vict. c. 30.
	The Poor Law (Ireland) Act, 1892.	55 Vict. c. 2.
	The Boards of Management of Poor Law District Schools (Ireland) Act, 1892.	55 & 56 Vict. c. 41.

The word "owner" has the same meaning as in the Lands Clauses Consolidation Act, 1845 :

8 Vict. c. 18.

The expression "orphan child" when applied to a legitimate child means a child both of whose parents are dead, or one of whose parents is dead, the other being under sentence of penal servitude, or suffering permanently from mental disease or being permanently bedridden or disabled and an inmate of a workhouse, or being out of Ireland :

The expression "deserted child" when applied to a legitimate child means a child deserted by both parents ; or a child deserted by one parent the other being dead, or under sentence of penal servitude, or suffering from mental disease, or being permanently bedridden or disabled and an inmate of a workhouse, or out of Ireland ; or a child one of whose parents is under sentence of penal servitude, or suffering permanently from mental disease, or permanently bedridden or disabled and an inmate of a workhouse, or out of Ireland, the other parent being likewise in one of those conditions :

[337.]

C

A.D. 1896.      The expression "orphan child" when applied to an illegitimate child means a child whose mother is dead :

The expression "deserted child" when applied to an illegitimate child means a child deserted by its mother, or whose mother is under sentence of penal servitude, or suffering from mental disease, or permanently bedridden or disabled and an inmate of a workhouse, or out of Ireland : and

The expression "lunatic" means an imbecile, idiot, or person of unsound mind.

Short title  
and con-  
struction.

**32.** This Act may be cited as the Poor Relief (Ireland) Act, 1896, 10 and save where inconsistent therewith shall be construed as one with the Poor Relief (Ireland) Acts as in this Act defined, and those Acts and this Act may be cited collectively as the Poor Relief (Ireland) Acts, 1838 to 1896.



SCHEDULE.

A.D. 1896.

## ENACTMENTS REPEALED.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
5 38 & 39 Vict. c. 67.	- The Lunatic Asylums (Ireland) Act, 1875.	Section nine.
39 & 40 Vict. c. 38.	- The Pauper Children (Ireland) Act, 1876.	The whole Act.